

## Article - Environment

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§6–836.1.

In an action in which the owner's immunity from liability under § 6-835 or § 6-836 of this subtitle is challenged, upon motion by any party and prior to authorizing further proceedings in the action, the court shall:

- (1) Allow discovery limited solely to the issue of the owner's immunity under § 6-835 or § 6-836 of this subtitle;
- (2) Determine if there are any disputes of material fact as to whether the owner is entitled to immunity under § 6-835 or § 6-836 of this subtitle;
- (3) Hold an evidentiary hearing on issues of material fact as to the immunity, if any, which shall, upon request of any party, be before a jury; and
- (4) Determine as a matter of law whether the owner is entitled to immunity from liability under § 6-835 or § 6-836 of this subtitle.

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